

THIS IS A REVISED LETTER/FAX OF OUR 8 TH JULY 2003 FAX. TO AVOID DUPLICATION
PLEASE DISREGARD OUR SAID EARLIER FAX DATED 8 TH JULY 2003.

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9 JULY 2003
Total pages faxed 2.

Ma'am Debra F Charles
Examiner
Art 3628
USPTO

Fax: 703-305-7687 / 703-872-9327

In response to your email send 7 Jul 2003 14:34:14 -0400 for Application
09/376381

Dear Debra,

In the above email, you have responded with a link for business patent to which we are unable to see the relevance to our question in regards to possible typo as reproduced below.

Our initial email send July 07, 2003 3:01 AM seeks to clarify whether there is a typo in the final rejection letter mailed 18 June 2003 as discussed below.

For example in at page 5, 2nd last para, at "however, in col 7 lines 4-5 Walker et al disclose standard deviation."

Since Walker et-al in this case is '169 as per your heading in the same paragraph and hence col 7, lines 4-5 refers to said Walker ' 169. The exact lines 4-5 are reproduced here from '169 "increasing price in order to identify the airline's defined minimum price for a given flight. For example, if the CPO will be binding upon the customer 110 if accepted by any..." As one can see there is no standard deviation found in said lines.

However, in Walker ' 127A at col 7 line 22, there is standard deviation. Is this a typo ? If it is inherent then it requires facts to support why standard deviation must necessarily present in '169 based on teaching of '127. No facts are alluded.

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At page 5, second paragraph ended the rejection prematurely as this claim 39
also contain the last line as filed after first office action:

“ outputting the option fee to the user and update the database where said
option contract is available for predetermined period to other users if not
selected by first user ”

We are unsure if this is intentionally left out or it's a typo again. If it is
intentionally left out then it by default it does not satisfy the 102(e)
requirement where every element has to be anticipated.

Similarly at Page 7 Re Claim 33 at second last paragraph show no citations.

At page 16, Claim 54: Walker et al '127 disclose....and cited (col 13, line
60-col 18, line 60).

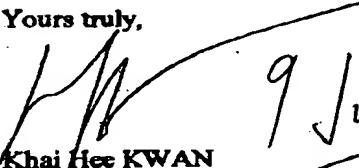
However, Walker '127 has no Col 13 and ends at Col 12.

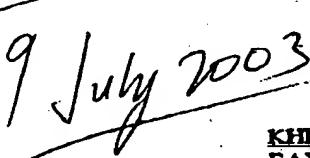
We are hoping to seek your clarification on the above matter as soon as
possible given that this is a final rejection and time is critical for all parties.

Else, we would be happy if you could consider removing the finality so that
we could be accorded time to consider your further responses to our queries
above. We have submitted said removal request faxed 4 July 2003.

Please note this transmission does not constitute our response to your final
rejection and its merely intended to seek further clarification on the above
matter. A complete final rejection response will be mailed or faxed later.
Thanking you in advance.

Yours truly,


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9 July 2003

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